

REMARKS

Claims 1-3, 7 and 9 are all the claims pending in the application. Reconsideration of the application and allowance of all claims are respectfully requested.

The specification has been amended to correct the typographical error noted in paragraph 3 of the Office action.

Regarding the double patenting issue raised in paragraphs 4 and 5 of the Office action, rejection, the examiner has not responded to, and therefore seemingly overlooked, the traversal of that issue explained at pages 1-2 of the Request For Panel Review filed March 1, 2010.

Turning now to the prior art rejections, the examiner previously rejected claims 1-3, 7 and 9 under 35 USC 103(a) as unpatentable over Ayres in view of Trossen, Cohn, Kuramitsu and Shiotsu. The examiner has now rejected claims 1-3, 7 and 9 as unpatentable over Barnes et al (US 2005/0136949) in view of Shiotsu et al. Thus, the examiner has replaced the combined teachings of Ayres, Trossen, Cohn and Kiramitsu with the single reference to Barnes et al. As in the previous rejection, Shiotsu is relied on to teach interrupting a display after a short period of time for power conservation purposes, and the examiner argues that it would have been obvious to adopt this feature in the system of Barnes et al.

According to the present invention, a user registers a request for information in advance, and when the user is in the relevant area and is not on a call, the system checks to ensure that the network traffic is not too high, and then sends the requested information. The information is displayed for a few minutes and then the display is discontinued while the system continues to receive and store the video information for later display.

Barnes et al teaches a mobile phone that can receive video information. In various places Barnes et al also describes the mobile device as storing the received video for future reproduction. Paragraph [0434] at page 45 of Barnes et al does suggest location-based information sent via push technology, and for purposes of the present discussion only, it will be assumed to be requested in advance or it would not be triggered by the “predetermined distance” as noted in paragraph [0434]. But claim 1 requires: “if the video information has not already been provided to the mobile phone that is not in use, displaying the video information in real time.” While Barnes et al does teach that the mobile can either display or store the video, it does not describe that the decision on whether to display or store is based on whether the video information has been sent before. The examiner cites to paragraphs [0254] and [0361], but neither of these passages says anything about examining to see if the video information has already been sent.

Further, claim 1 recites that, when the user is using the mobile phone the mobile phone saves the distributed video information, and when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone ceases displaying the video information while the user is still not using the mobile phone. Barnes says nothing about making a decision on whether or not to store received video information even while the users is not using the mobile phone. In support of this feature, the examiner cites to paragraphs [0254], [0361], [0033], [0034], [0404], [0406] and [0447], but none of these passages describes applying the claimed criteria in deciding whether to display or to store.

Thus, even if the power saving feature of Shiotsu were added to Barnes, the result would not satisfy the requirements of the claims.

Barnes also does not teach sending the video information only if the traffic is below a certain level (Barnes et al detects if there is enough bandwidth, but that is not the same as the traffic being below some level).

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: January 24, 2011